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(erroneously named as General Holdings,
Inc.)*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JENNA KASKORKIS and KIM
CARTER, individually and on behalf
of all other similarly situated,

Plaintiffs,

v.

GENERAL NUTRITION
CENTERS, INC., a Delaware
Corporation, GENERAL
HOLDINGS, INC., a Delaware
Corporation,

Defendants.

Case No. 3:16-cv-00990-WQH-AGS

JUDGE: HON. ANDREW G.
SCHOPLER
FILED: SEPTEMBER 11, 2017

**JOINT STIPULATION STAYING
CASE**

1 The parties, by and through their respective counsel, hereby stipulate and
2 jointly move the Court pursuant to Civil Local Rule 7.2 for an Order staying this
3 action for sixty (60) days from today's date, i.e., until November 10, 2017, and
4 suspending all discovery and other case-related deadlines. The parties, through the
5 continuing efforts of the mediator, have reached agreement on many of the key
6 terms of a settlement and believe they are very close to agreeing on the remaining
7 terms. Thus, to avoid further expenditure of valuable resources that could
8 otherwise be directed toward settlement, the parties request a stay of all hearing
9 dates and deadlines, including, but not limited to, discovery-related matters and
10 class certification, in order to focus on finalizing the terms of the settlement.

11 In support, the parties represent the following to the Court:

12 1. On August 14, 2017, the Court entered an Order (Dkt. No. 71),
13 extending the parties' class certification briefing deadlines as follows, which dates
14 remain the operative dates in this action:

- 15 a. Class Cert Motion: October 16, 2017
- 16 b. Plaintiffs' Class Cert Expert Disclosures: October 16, 2017
- 17 c. Defendants' Opposition: November 15, 2017
- 18 d. Defendants' Class Cert Expert Disclosures: November 15, 2017
- 19 e. Plaintiffs' Reply: November 30, 2017

20 2. The parties also each currently have motions pending. Plaintiffs'
21 motion to enforce is set for hearing on September 14, 2017, and is fully briefed.
22 Defendants' motion to compel is set for hearing September 25, 2017, with
23 Plaintiffs' opposition due to be filed September 11, 2017, and Defendants' reply
24 due to be filed September 18, 2017. Should the parties resume litigation in this
25 case following the 60-day stay, Defendants will not oppose Plaintiffs' opposition to
26 Defendants' motion to compel on the basis that it is untimely.

1 3. On July 19, 2017, the parties attended a joint mediation in Pittsburgh,
2 Pennsylvania with mediator Carole Katz. Although the parties were unable to reach
3 a settlement agreement at the mediation, through the continuing efforts of the
4 mediator, the parties have continued negotiations and reached agreement on many
5 of the key terms of a settlement and believe they are very close to agreeing on the
6 remaining terms.

7 4. In the interest of avoiding expense to the parties and conserving the
8 Court's resources while the parties finalize the terms of the settlement, with the
9 Court's permission, the parties agree to stay the case for sixty (60) days and to
10 suspend all discovery and other case-related deadlines, including vacating all
11 hearing dates and all deadlines for responsive briefs on the parties' respective
12 pending motions. On or before November 10, 2017, the parties will either submit
13 settlement approval papers or a joint status report advising the court how they
14 suggest the matter should proceed.

15 5. Based on the foregoing, the parties request that the Court enter the
16 accompanying Order staying this matter for sixty (60) days, i.e., until November
17 10, 2017, and suspending all case-related deadlines and discovery, including
18 vacating all hearing dates and all deadlines for responsive briefs on the parties'
19 respective pending motion to enforce and motion to compel, to be reset if the
20 parties' settlement efforts fail.

1
2 Dated: September 11, 2017

Stipulated and respectfully submitted,
AHDOOT & WOLFSON, PC

3 By: /s/ Tina Wolfson

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13 Dated: September 11, 2017

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named as General Holdings, Inc.)*

ATTESTATION OF FILER

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual of the United States District Court for the Southern District of California, the undersigned hereby attests that all parties have concurred in the filing of this motion.

/s/ Tina Wolfson
Tina Wolfson